

RECEIVED

JAN 18 2008

JOHN R. ALTIERI
Attorney at Law
25 East Salem Street
P.O. Box 279
Hackensack, NJ 07602-0279
(201) 343-6525
Attorney for Plaintiffs

AT 8:30 M
WILLIAM T. WALSH
CLERK
Document Electronically Filed

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

KEVIN LEE, a minor, by his
father and mother as natural
guardians GUE-YUP LEE and
EUN-SIL LEE, and GUE-YUP
LEE and EUN-SIL LEE,
individually, JULIA LEE,
ESTHER LEE, NO-YEON LEE
and JUNG-JA YOON,

CIVIL ACTION NO.:
07cv318 (FLW)

**ORDER ENTERING JUDGMENT AND
DIRECTING DISTRIBUTION OF FUNDS**

Plaintiffs,

vs.

RICHARD FALLER,

Defendant.

This matter having come before the Court in accordance with New Jersey Court Rule 4:44-3 and the attorneys for the parties having reported to the Court that a settlement of the minor plaintiff's claim has been arrived at between the plaintiffs, KEVIN LEE, a minor, by his father and mother as natural guardians GUE-YUP LEE and EUN-SIL LEE and GUE-YUP LEE and EUN-SIL LEE, individually, JULIA LEE, ESTHER LEE, NO-YEON LEE and JUNG-JA YOON, and the defendant RICHARD FALLER, and the parties having consented to the disposition of this matter by the Honorable John J. Hughes, U.S.M.J., pursuant to Rule 73 of the Federal Rules of Civil Procedure and Local Civil Rule 73.1, and the Court having then taken proofs on the record and having approved said settlement, *on the record HONORABLE 1/17/08.*

IT IS on this 17th day of January 2008,

ORDERED that Judgment is entered on behalf of KEVIN LEE, a minor, by GUE-YUP LEE and EUN-SIL LEE, his parents, as guardians ad litem, in the gross amount of \$130,000 against the defendant RICHARD FALLER, without costs and/or interest; and

IT IS FURTHER ORDERED that the following deductions shall be made from this gross settlement and paid by the defendants in separate drafts as follows:

- a. STRUCTURED SETTLEMENT: Pursuant to New Jersey Court Rule 4:48A, that \$93,750 shall be paid by defendant RICHARD FALLER's insurer by check payable to PRUDENTIAL ASSIGNED SETTLEMENT SERVICES CORPORATION within 20 days of this Order;

IT IS FURTHER ORDERED that pursuant to New Jersey Court Rule 4:48A, that the net present recovery of \$93,750 shall be structured as follows. The payments will be assigned to **PRUDENTIAL ASSIGNED SETTLEMENT SERVICES CORPORATION** (Assignee) by way of a Uniform Qualified Assignment by the defendant and/or insurer. In accordance with the Uniform Qualified Assignment, the assignee will fund its obligation to make payments through the purchase of an annuity from **THE PRUDENTIAL INSURANCE COMPANY OF AMERICA**, an A+ excellent rated life carrier by the independent rating service, A.M. Best. The payments will be guaranteed through the issuance of **CORPORATE GUARANTEE** by **The Prudential Insurance Company of America** which

guarantees the obligation of **PRUDENTIAL ASSIGNED SETTLEMENT SERVICES CORPORATION** assumed under the Uniform Qualified Assignment. Periodic payments will be made to KEVIN LEE as follows: Guaranteed Lump Sum Payments of:

\$ 15,000 payable on February 3, 2011
\$ 50,000 payable on February 3, 2014
\$ 68,000 payable on February 3, 2018

In the event of the death of KEVIN LEE prior to February 3, 2018, any periodic payment due and payable as outlined above on the dates, will be paid to KEVIN LEE's designated primary beneficiary, mother EUN-SIL LEE and designated secondary beneficiary, father GUE-YUP LEE.

KEVIN LEE retains the right to amend the beneficiary designation, in accordance with the Settlement Agreement and Release, upon reaching the age of majority.

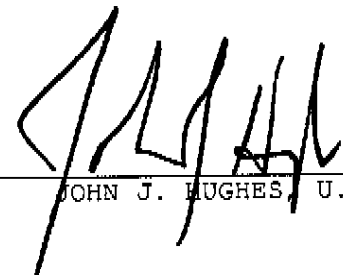
- b. FOR KEVIN'S USE: \$1,686.92 to be paid by defendant RICHARD FALLER's insurer to plaintiff's father and mother, GUE-YUP LEE and EUN-SIL LEE, jointly, to be used in their sole discretion, but, only in the best interest of KEVIN;
- c. ATTORNEY'S FEES: \$34,563.08 be paid to plaintiffs' attorney, John R. Altieri, consisting of \$2,750.77 for actual disbursements and \$31,812.31 for attorneys' fees of 25% of the recovery. All referring and

participating attorneys' fees will be paid from this amount.

Upon payment by defendant, as provided hereinabove, counsel for plaintiffs will promptly issue and serve on defense counsel a Warrant to Satisfy this Judgment.

All other claims of all plaintiffs herein are dismissed with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the attorney for the plaintiffs deliver a copy of this Order to plaintiffs and counsel for defendant within 5 days of the date hereof.



JOHN J. HUGHES, U.S.M.J.

EXHIBIT A

**LAW OFFICE OF JOHN R. ALTIERI
P.O. BOX 279
HACKENSACK, NJ 07602-0279
(201) 343-8525**

RE: LEE V. FALLER - CIVIL NO. 07-CV-318 (FLW)

SETTLEMENT DISTRIBUTION FOR KEVIN LEE

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTAL</u>
	Settlement Proceeds		\$130,000.00
	Disbursements and expenses (attached)		<u>\$2,750.77</u>
			\$127,249.23
	25% Attorneys' Fees		\$31,812.31
	Net		<u>\$95,436.92</u>
	Structure Annuity Premium		\$93,750.00
	Additional cash to Kevin Lee		\$1,686.92

SPEISER, KRAUSE, NOLAN & GRANITO

KEVIN LEE
136 ELVASTON DRIVE
TORONTO ON M4A 1N8
CANADA

Page: 1
December 07, 2007
Client Number 1445-000C
Statement No.: 4144

SL STATE 3 YEARS
ELMIRA, NY ON 6/3/05

In-House Expenses

03/02/2007	In-House photocopy expense, 16 pp @ \$.25 each	4.00
03/05/2007	In-House photocopy expense, 5 pp @ \$.25 each	1.25
03/05/2007	In-House photocopy expense, 15 pp @ \$.25 each	3.75
03/05/2007	In-House photocopy expense, 4 pp @ \$.25 each	1.00
03/28/2007	In-House photocopy expense, 105 pp @ \$.25 each	26.25
03/28/2007	In-House photocopy expense, 55 pp @ \$.25 each	13.75
03/28/2007	In-House photocopy expense, 33 pp @ \$.25 each	8.25
	I/H photocopy	<u>58.25</u>
	Total In-House Expenses	58.25

General Expenses

08/15/2006	Telephone expense (363) AT&T - NY	1.17
01/15/2007	Telephone expense (363) AT&T - NY	0.78
	Telephone expense	<u>1.95</u>
07/25/2007	Medical/Legal Records expense request (1505) ARNOT OGDEN MEDICAL CENTER - Kevin Lee copies	13.87
	Medical/Legal Records expense request	<u>13.87</u>
04/30/2006	Computer Research expense (198) WEST GROUP - NY	152.25
01/31/2007	Computer Research expense (198) WEST GROUP - NY	187.96
	Computer Research expense	<u>340.21</u>
02/22/2007	Investigations expense (54) WILLIAM BAYER - Interviews and narrative report (1/2 to 1446.000)	92.50
	Investigations expense	<u>92.50</u>
09/30/2007	Postage and shipping expense - TX	0.41
	Postage and shipping expense	<u>0.41</u>
04/19/2007	Overnight messengers & delivery expense (21) FEDERAL EXPRESS CORPORATION - NY	6.64
08/16/2007	Overnight messengers & delivery expense (21) FEDERAL EXPRESS CORPORATION - NY	4.93
	Overnight messengers & delivery expense	<u>11.57</u>
	Total General Expenses	460.51
	Total Fees, In-House & General Expenses Due	518.76
	TOTAL BALANCE DUE	<u>\$518.76</u>

12/12/2007 12:08 4163610083

HSH

PAGE 03/03

Howie, Sacks & Henry LLP

401 Bay Street
 Suite 2800, P.O. Box 4
 Toronto, ON M5H 2Y4

Ph:416-361-5990

Fax: 416-361-0083

Kevin Lee
 136 Elvaston Drive
 North York, Ontario
 M4A 1N6

December 11, 2007

Attention:

File #: 1-114
 Inv #: Settle

RE: Lee v Faller, et al

DISBURSEMENTS

	Facsimiles	37.00
	Long Distance	0.05
	Photocopies	50.50
	Postage	9.52
	Scanning	11.50
	Long Distance #	1.66
	Office supplies #	12.00
	Delivery services/messengers *	21.42
Jan-12-06	TPH Photocopies, (Invoice #063040168)#	3.86
Jan-13-06	TPH Photocopies, (Invoice #063040204)#	8.10
Jan-27-06	OHIP Summary *	140.00
Mar-01-06	Payment For Records - Dr. Halman	38.91
Apr-13-06	TPH Photocopies, (Invoice #063043164)#	11.06
Oct-24-06	Medical Records , (Invoice #24902) - Dr. Schlosser*	35.00
Jul-21-07	Hospital Records - Greater Niagara General Hospital*	150.00
	Totals	\$530.58
	Total GST on Disbursements	10.89

Total Disbursements for all charges on this matter**\$541.47**

TAX ID Number 86919 1783 RT0001

Total GST \$10.89

KIM & LEE EXPENSES
(John R. Altieri)
Civil Action No.: 07-CV-322(AET)
Civil Action No.: 07-CV-318(FLW)

		Amount due
4 th quarter 2006 -	Federal Express charges	\$ 12.22
1 st quarter 2007 -	Complaint filing fee 2 @\$350.00/each	\$ 700.00
2 nd quarter 2007 -	AT&T phone conference	\$ 85.00
	Photocopying-Special	\$ 147.80
	Summons & Complaint Service	\$ 94.50
3 rd quarter 2007 -	Color Copies	\$ 18.50
	Travel expenses	\$ 89.00
	Court reporter charges	\$ 447.75
4 th quarter 2007	AT&T phone conference	\$ 255.00
	Federal Express charges (International)	\$ 429.26
Telephone, FAX, in-house copying, delivery, Westlaw usage & postage expenses		<u>\$ 1,102.05</u>
KIM & LEE COMBINED TOTAL		\$ 3,381.08
50% each =	<u>\$1,690.54</u>	

EXHIBIT B

Jan. 8. 2008 1:41PM

No. 5506 P. 1



RINGLER ASSOCIATES*

(609) 714-8860 (Medford)

(973) 257-1525 (Morristown)

Toll Free (877) 565-6500

Fax (609) 714-8862

January 8, 2008

FAXED AND MAILED

John Altieri, Esquire
25 E. Salem Street
Hackensack, NJ 07601

Re: KEVIN LEE vs RICHARD FALLER
First Trenton Claim #L2S0480
Ringle Associates' File #2-12916B

Dear Mr. Altieri:

This letter will serve to confirm that a settlement has been reached in this matter including a structured settlement for the above-mentioned claimant.

The annuity will be provided by Prudential Insurance Company of America, an A+ rated life carrier by the A. M. Best Rating Service, with a Uniform Qualified Assignment to Prudential Assigned Settlement Services Corporation (PassCorp) who will act as assignee on behalf of the defendant. Prudential Insurance Company of America will guarantee the obligation of the assignee should they default on their obligation. The settlement includes the following benefits:

Details of annuity: Payee - Kevin Lee

Guaranteed Lump Sum Payments as follows:

\$ 15,000 -AGE 18 (02-03-2011)

\$ 50,000 -AGE 21 (02-03-2014)

\$ 68,000 -AGE 25 (02-03-2018)

Cost of Annuity: \$ 93,750

**Cash up front: \$ 36,250 to include attorney
fees/costs/and liens.**

Total settlement: \$130,000

105 ATSION ROAD, SUITE C • MEDFORD, NJ 08055
45 PARK PLACE SOUTH, PMB 183 • MORRISTOWN, NJ 07960
BFillion@ringlerassociates.com • EBrubacher@ringlerassociates.com

www.RingleAssociates.com

OFFICES IN PRINCIPAL CITIES NATIONWIDE

Member National Structured Settlements Trade Association

Jan. 8. 2008 1:41PM

No. 5506 P. 2

The attached annuitant questionnaire needs to be completed and returned to our office in order to get the annuity policy issued. If your client is designating a specific beneficiary, please include this beneficiary designation in the Proposed Order for Judgment for approval by the court.

Per your request, attached you will find a DRAFT copy of the Settlement Agreement and Release which we have prepared. This document must be reviewed and approved by Travelers and Defense Attorney before we can forward original copies to your office for execution.

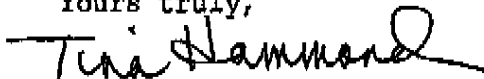
Please mark your file to fax a copy of the proposed Minor's Compromise Order to our attention as soon as it is available. We have attached sample language which should be included in this order. Again, if your client intends to designate a specific beneficiary for the annuity it should be so stated in the order.

For your convenience and in summary we need the following forwarded to our office:

- Completed annuitant questionnaire/copy of birth certificate
- Faxed copy of the Proposed Order for Judgment

If you have any questions, please don't hesitate to call our office.

Yours truly,



Tina Hammond
Ringler Associates, Inc

CC: Kristen Frank, Claims Representative
Michael Moutzanakis, Esquire